



U.S. Department of Justice

United States Attorney
Eastern District of New York

MEC:mec
F. #2009R02252

271 Cadman Plaza East
Brooklyn, New York 11201

June 10, 2019

By ECF

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **JUN 13 2019** ★

LONG ISLAND OFFICE

The Honorable Joseph F. Bianco
United States District Court
Eastern District of New York
Long Island Federal Courthouse
290 Federal Plaza
Central Islip, New York 11722

Re: United States v. Michael Ashley
Criminal Docket No. 11-516(JFB)

Dear Judge Bianco:

In response to the Court's request for the government's letter pertaining to sentencing in this matter, the government respectfully rests on its previous submissions to the Court. On March 29, 2019, the government filed a letter, under seal, pursuant to Section 5K1.1 of the United States Sentencing Guidelines (the "Guidelines") to apprise the Court of the substantial assistance provided by the defendant and to permit the Court, in its discretion, to impose a sentence below the applicable advisory Guidelines range. The government further rests on its April 13, 2019 letter supplementing the Presentence Report as to the losses incurred as a result of the defendant's criminal conduct. In addition, the government relies on the "Factual Background" set forth in its October 13, 2017 letter filed and docketed in United States v. Poppi Metaxas, (14 Cr. 190 (JFB)) (Document 96).

Another copy of the March 29, 2019 letter is filed separately under seal this afternoon. The April 13, 2019 letter is filed as an attachment to this letter.

Subject to the convenience of the Court, the government is available for sentencing the week of June 17, 2019 or for any date in July 2019, except for July 10 and July 29, 2019.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/Martin E. Coffey
Martin E. Coffey
Assistant U.S. Attorney
(718) 254-6157

cc. Kevin Keating Esq.

*Sentencing is re-scheduled
for July 17th, 2019, at
~~10:00 a.m.~~ 2:00 p.m.*

RECORDED

S/ JOSEPH F BIANCO

Joseph F. Bianco

USPJ

(sitting by designation)

Date:

June 13

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Central Islip, N.Y.